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AUG 02 2006

Application No.: 09/785,872
Response to Office Action dated: March 2, 2006
Response dated: August 2, 2006

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Remarks

These Remarks are in reply to the Office Action mailed March 2, 2006. A Petition for Extension of Time is submitted herewith, together with the appropriate fee.

I. Summary of Examiner's Rejections

Prior to the Office Action mailed March 2, 2006, Claims 1, 3-6, 8, 9, 11, 13-16, 18, 19 and 21-32 were pending in the Application. In the Office Action, all of the claims were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over the claims of copending Application No. 09/906,658.

II. Summary of Applicant's Amendments

A terminal disclaimer is being filed herewith. No additional amendments are being made at this time.

III. Rejections under Double Patenting

In the Office Action mailed March 2, 2006, all of the claims were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1, 21 and 43 of copending Application No. 09/906,658. Accordingly, enclosed herewith is an appropriate terminal disclaimer in compliance with 37 CFR 1.321. Applicant respectfully submits that the filing of a terminal disclaimer renders moot the rejection under double patenting. Reconsideration of the Application is respectfully requested.

IV. Conclusion

In view of the above remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

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Attorney Docket No.: BEAS-01033US4
kfk/beas/1033/1033us4/beas.1033us4.response.030206.wpd

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Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136 for extending the time to respond up to and including August 2, 2006.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: August 2, 2006

By: 

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